



# Ordinary Council Meeting

## Notice of Meeting & Agenda

### 28 March 2019

*Meeting to be held at: The Shire of Harvey Council Chambers, 7 Mulgara Street, Australind on Thursday 28 March 2019, commencing at 4:00pm*

## Open Council Meetings – Procedures

1. All Council meetings are open to the public, except for matters raised by Council under “confidential items”.
2. Members of the public may ask a question at an ordinary Council meeting under “public question time”.
3. Members of the public who are unfamiliar with meeting procedures are invited to seek advice at the meeting. If unsure about proceedings, just raise your hand when the presiding member announces public question time.
4. All other arrangements are in accordance with the Council’s standing orders, policies and decisions of the Council.

**Undersigned**

**Chief Executive Officer**

**Bunbury-Harvey Regional Council**  
Lot 45 Stanley Road, Wellesley  
Western Australia 6233

*Correspondence to:*  
Post Office Box 111  
Australind WA 6233

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### **ATTACHMENTS**

- Attachment 1 – Financial Statements for the Period Ending 28 February 2019
- Attachment 2 – Summary of Accounts Paid for the Period Ending 28 February 2019
- Attachment 3 – Draft Compliance Audit Return 2018



## **VISION**

To develop, implement and maintain innovative and sustainable waste reduction, recycling and landfilling services while managing waste facilities with best practice standards for the councils of the Wellington Region and beyond.

To provide sustainable waste minimisation, recycling and alternative waste treatment services to an informed community while reducing the environmental impact of waste and maximising the conservation of natural resources through reduced material use and increased resource recovery

## **MISSION**

To ensure the delivery of an integrated, cost-effective and environmentally sound waste management system and to promote sustainable community programs and policies ensuring that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.

Reduce the environmental impact of waste and maximise conservation of natural resources through reduced overall material use and increased materials and energy recovery.

## **VALUES**

### ***Excellence:***

To provide best practice facilities and waste services to our community through the development of quality controls and continuous improvements.

### ***Leadership:***

Having a clear vision and direction, that engages with key stakeholders and our community.

### ***Integrity:***

Acting with a level of trust, respect, honesty, hard work, communication and shared responsibility that is exhibited by its people.

### ***Accountability:***

To ensure the collection and management of solid waste and recovered materials in an environmentally sound manner and in accordance with regulatory requirements and the Department of Water and Environmental Regulation licence conditions.

### ***Innovation:***

Embrace new and better ways to achieve improved results through creativity, inventiveness and teamwork.

### ***Respect***

We value diversity and respect and are committed to work towards integrating the principles of Equal Employment Opportunity and ensure that the work environment is free from harassment and discrimination. We value and respect all members of our community.



# Bunbury-Harvey Regional Council

## Notice of Meeting

The next Ordinary Meeting will be held at the Shire of Harvey Council Chambers, 7 Mulgara Street, Australind on Thursday 28 March 2019 at 4:00pm.



Signed:

**Tony Battersby**

**Chief Executive Officer**

*(Date of Issue: 22 March 2019)*

### AGENDA

**Note:** The recommendations contained in this document are not final and are subject to adoption, amendment (or otherwise) at the meeting.

<b>Council Members:</b>	<b>Representing</b>
Cr Murray Cook ( <b>Chairperson</b> )	City of Bunbury
Cr Anita Shortland	Shire of Harvey
Cr Treslyn Smith	City of Bunbury
Cr James Hayward	City of Bunbury
Cr Peter Monagle	Shire of Harvey
<b>Executive Leadership Team (Non-Voting)</b>	<b>Representing</b>
Mr Tony Battersby	Chief Executive Officer (BHRC)
Ms Annie Riordan	Chief Executive Officer (Shire of Harvey)
Mr Mal Osborne	Chief Executive Officer (City of Bunbury)
<b>Officers (Non-Voting)</b>	<b>Representing</b>
Mr Gavin Harris	Director Works and Services (City of Bunbury)
Mr Chris Welham	Accountant
Miss Martinette Pieterse	Council Meeting Support Officer
<b>Others(Non-Voting)</b>	<b>Representing</b>

**1. Declaration of Opening / Announcement of Visitors**

The Presiding Member Declares Meeting open \_\_\_\_\_

**2. Attendances**

**2.1 Apologies**

Cr Betty McCleary – City of Bunbury

**3. Public Question Time**

**4. Summary of Response to previous Questions taken on notice**

**5. Applications for Leave of Absence**

**6. Confirmation of Minutes**

The minutes of the Ordinary meeting of Council held on 28 February 2019, are confirmed as a true accurate record.

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

**RESOLUTION:**

**7. Petitions / Memorials / Presentations**

**8. Declarations of Interests**

## 9. Announcements (by the presiding member without discussion)

## 10. Reports of Committees

## 11. Reports of Officers

### 11.1 Financial Statements for the period ending 28 February 2019

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Chris Welham, Accountant			
<b>Responsible Manager:</b>	David Ransom, Manager Finance			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 1</b> – Financial Statements for the Period Ending 28 February 2019 (Appendices 1 – 8)			

### Summary

The following comments are provided on the key elements of Council's Financial Performance:

1. Statement of Comprehensive Income (**attached at Appendix 1**)
  - a. Financial Performance to 28 February 2019

YEAR TO DATE:	ACTUAL	BUDGET	VARIANCE	
• Income	2,566,271	2,643,743	(77,472)	Unfavourable
• Expenditure	(3,096,357)	(3,064,027)	(32,330)	Favourable
• Operating Surplus / (Deficit)	(530,086)	(420,284)	(109,802)	Unfavourable

2. Statement of Financial Activity (**attached at Appendix 3**)

Closing Funding Surplus to 30 June 2019 is forecast at \$414,132. The Budgeted Closing Surplus amount of \$399,834 has been increased by \$14,298 for insurance and parental leave reimbursements received.

3. Capital Works (**attached at Appendix 4**)

	ACTUAL	BUDGET	VARIANCE	
• Capital Expenditure	(589,484)	(591,712)	2,228	Favourable

4. Statement of Financial Position (**attached at Appendix 5**)

	Year-to-date	Forecast
• Current Assets of \$4,660,616 includes:		
○ Cash and Cash Equivalents	4,300,057	4,046,228
○ Trade and Other Receivables	356,397	300,000
○ Prepayments	1,876	-
○ Inventories	2,286	2,000

Current Liabilities of <b>\$318,466</b> includes:		
o Trade and Other Payables	54,673	161,414
o Provisions	263,793	180,600

• Working Capital ( <b>Current Assets less Current Liabilities</b> ) is:	4,342,150	4,006,214
• Equity ( <b>Total Assets less Total Liabilities</b> ) is:	9,193,813	9,400,285
• Reserves of <b>\$3,317,995</b> includes:		
o Plant and Infrastructure Reserve	540,928	1,037,076
o Site Post Closure Rehabilitation Reserve	1,015,598	714,966
o Stanley Road Environmental Protection Lined Cell Construction Reserve	680,782	1,091,394
o Organics Processing Reserve	1,080,687	748,644

#### 5. Investments

Total of <b>\$4,147,260</b> includes:			
	<b>Invested Funds \$</b>	<b>% of Total Funds</b>	<b>Max % of Total Funds Allowed</b>
o Commonwealth Bank	275,579	7	75
o National Australia Bank	1,824,017	44	75
o Westpac	2,047,664	49	75
<b>TOTAL:</b>	<b>4,147,260</b>	<b>100</b>	

*Funds which are not required for payment of creditors are invested in interest bearing Term Deposits for 1 to 3 months. Quotations are obtained to ensure the best interest rate is received. Interest earnings are shown in the financial statements.*

#### **Executive Recommendation**

##### **That Council:**

Receive and accept the Financial Statements for period ending 28 February 2019 as presented to Council.

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**RESULT: CARRIED / LOST** \_\_\_\_\_

#### **RESOLUTION:**

##### **Background**

A financial management report is provided to Councillors on a monthly basis which includes the following summaries:

- Statement of Comprehensive Income (attached at **Appendix 1**)
- Banksia Road Operations (attached at **Appendix 2**)
- Statement of Financial Activity (attached at **Appendix 3**)
- Capital Works Expenditure Summary (attached at **Appendix 4**)
- Statement of Financial Position (attached at **Appendix 5**)
- Statement of Net Current Assets (attached at **Appendix 6**)
- Fees and Charges Summary (attached at **Appendix 7**)
- Debtors Report (attached at **Appendix 8**)

### Legislative Compliance

In accordance with the provisions of Section 6.4 of the Local Government Act 1995 and Regulations 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (Attached at Appendix 3) reporting on the revenue and expenditure as set out in the annual budget under Regulations 22 (1) (d) for this month.

At the Council Meeting on 26 July 2018, Council adopted that a variance between actual and budget-to-date of greater than or equal to 10% and \$15,000 is considered to be a material variance for reporting purposes in the Statement of Financial Activity for 2018/19.

### Voting Requirement

Simple Majority

The following is an explanation of significant variances identified in the Statement of Comprehensive Income and the Statement of Financial Activity:

Statement of Comprehensive Income	YTD Actual to YTD Budget Variance
<b>Employee Costs</b>	
<b>Waste Transfer Station</b> Favourable year-to-date variance to budget due to staff being on annual leave and close monitoring of staff rosters.	\$31,159 13%
<b>Earthworks Operations</b> Unfavourable year-to-date variance to budget due to an increase in the annual leave provision compared to annual leave taken.	(\$29,246) (25%)
<b>Site Rehabilitation</b> Favourable year-to-date variance to budget due to staff being on annual leave and close monitoring of staff rosters.	\$19,255 18%
<b>Materials and Contracts</b>	
<b>Organics Expenditure</b> Unfavourable variance compared to year-to-date budget mainly due to an increase in organics licence fees, and plant maintenance costs (e.g. replacement of aeration pipes \$7,870), and the works approval (\$12,883) for the relocation of the Organics Processing Facility to Stanley Road.	(\$38,344) (35%)

### 11.2 Summary of Accounts paid for period ending 28 February 2019

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Chris Welham, Accountant			
<b>Responsible Manager:</b>	David Ransom, Manager Finance			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 2</b> - Summary of Accounts paid for period ending 28 February 2019			

### Summary

Section 13 (2) of Government (Financial Management) Regulations 1996 require that where Local Government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing detail for each account paid since such list was prepared. This item is presented to Council to advice of payments made for 28 February 2019



### **Officer Recommendation**

#### **That Council:**

Receive and accept the Summary of Accounts paid for period ending 28 February 2019 as presented to Council.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

RESULT: CARRIED / LOST \_\_\_\_\_

#### **RESOLUTION:**

### **Background**

As noted in Summary.

### **Officer Comment**

The attachment details all payments made for December 18

### **Consultation**

Nil

### **Financial Implications**

As per the declaration within the schedule summary, the accounts have been checked and are fully supported by vouchers and invoices and which have been duly certified as to the receipt of goods and the rendition of service and as to prices, computation and costing(s). Sufficient allocations are contained within the 2018/2019 budget to cover payment of the accounts.

### **Statutory Environment**

Sections 12 and 13 of the Local Government (Financial Management) Regulations 1996 Apply.

### **Strategic Implications**

Nil

### **Policy Implications**

Nil

### **Voting Requirement**

Simple Majority

### **11.3 Donation of Compost/Mulch to Not for Profit Community Gardens**

<b>Applicant / Proponent:</b>	Cr Murray Cook JP			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	Nil			

## Summary

This resolution seeks to approve the donation of Compost or Mulch to Not for Profit (NFP) Community Gardens in the Bunbury Wellington Region.

- **Bunbury:**  
*Leschenault Community Garden,  
Bunbury Community Garden,  
Thommo's Community Garden.*
- **Harvey:**  
*Harvey CRC Community Garden,  
Brunswick Junction Community Garden.*
- **Collie:**  
*Collie Community Gardens.*
- **Donnybrook/Balingup:**  
*Donnybrook Community Gardens,  
Balingup Community Forest Garden.*

## Officer Recommendation

### That Council:

1. Authorise the CEO to provide up to three (3) tonne, per annum, of Compost or Mulch to Not for Profit Community Gardens in the Bunbury Wellington Region.

#### **Authorised Community Gardens:**

- **Bunbury:**  
*Leschenault Community Garden,  
Bunbury Community Garden,  
Thommo's Community Garden.*
  - **Harvey:**  
*Harvey CRC Community Garden,  
Brunswick Junction Community Garden.*
  - **Collie:**  
*Collie Community Gardens.*
  - **Donnybrook/Balingup:**  
*Donnybrook Community Gardens,  
Balingup Community Forest Garden*
2. The product be provided free of charge on transport (FOT).
  3. Any quantity larger than 3 tonne, per annum, is supplied at Council set rates, less a 20% discount.
  4. Any requests from NFP Community Gardens for inclusion in the scheme to be brought before the first available Council Meeting, for resolution by simple majority.
  5. This Policy to be reviewed every five (5) years.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

RESULT: CARRIED / LOST \_\_\_\_\_

**RESOLUTION:**

***Executive Recommendation***

Donation of Compost/Mulch to Community Gardens strategically links with Councils “Mission Statement”  
*To ensure the delivery of an integrated, cost-effective and environmentally sound waste management system and to promote sustainable community programs and policies ensuring that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations.*

*Reduce the environmental impact of waste and maximise conservation of natural resources through reduced overall material use and increased materials and energy recovery.*

The donation will also help to promote the use of compost/mulch in the greater community.

***Background***

The provision of this product to NFP organisations will enhance our interaction with the community and work hand in glove with education and engagement.

Community Gardens offer the opportunity for residents who have little or no yard to participate and grow their own fresh vegetables. Gardening is a proven enabler in the treatment of mental health.

In the words of Tina Jackson <http://www.foodwise.com.au/the-community-gardening-movement/>:

*“Community gardens are being recognised as an innovative way to grow food and improve health. They bring together people from all walks of life, backgrounds and ages to foster a lively and connected community. Whilst gardening is the focus, community gardens are generally community hubs for a range of activities – learning and education, playgroups, arts and creative activities, preparing and sharing food, community events, celebrations and social enterprise.*

*Turning an unused plot of land into productive social hubs is just one of the benefits of community gardening. Neighbourhood groups with a shared passion for fresh organic produce work together to learn and share knowledge of growing food, help reduce family food budgets and provide opportunities for exercise, recreation and learning, as well as spaces for contemplation and relaxation. Community gardens point the way to living sustainably in an urban environment showing waste minimisation, composting and water usage techniques that can be used by people in their own homes.”*

***Strategic Relevance***

BHRC Strategic Community Plan 2018-2022

***Council Policy Compliance***

Delegated Authority

***Legislative Compliance***

In accordance with the provisions of Section 5.42, Section 6.12 of the Local Government Act 1995

***Analysis of Financial and Budget Implications***

Staff and plant cost will be costed to Regional Compost Facility operations General Ledger.

Compost and Mulch tonnages will be recorded on weighbridge software with a zero \$0 monetary value to each of the Community Gardens.

### Community Consultation

Nil

### Voting Requirement

Simple Majority

## 11.4 Draft Compliance Audit Return 2018

<b>Applicant / Proponent:</b>	Internal			
<b>Responsible Officer:</b>	Tony Battersby, Chief Executive Officer			
<b>Responsible Manager:</b>	-			
<b>Executive:</b>	Tony Battersby, Chief Executive Officer			
<b>Authority / Discretion:</b>	Advocacy	<input checked="" type="checkbox"/>	Review	<input type="checkbox"/>
	Executive/Strategic	<input checked="" type="checkbox"/>	Quasi-Judicial	<input type="checkbox"/>
	Legislative	<input checked="" type="checkbox"/>	Information Purposes	<input type="checkbox"/>
<b>Attachment(s):</b>	<b>Attachment 3 – DRAFT Compliance Audit Return 2018</b>			

### Précis

Regulation 14 of the Local Government (Audit) Regulations 1996 requires that a local government carry out a compliance audit for the period 1 January to 31 December of each year. This report is presented to Council for consideration of the Compliance Audit for the period 1 January 2018 to 31 December 2018.

### Officer Recommendation

#### That Council:

Receive and accept the Compliance Audit Return 2018 as present to Council and that Council request the Chief Executive Officer and Chairperson to sign the Compliance Audit Return and forward the return to the Department of Local Government.

#### COUNCIL DECISION:

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

RESULT: CARRIED / LOST \_\_\_\_\_

### Background

Regulation 14 of the Local Government (Audit) Regulations 1996 requires that a local government carry out a compliance audit for the period 1 January to 31 December of each year. After carrying out a Compliance Audit the local government is to prepare Compliance Audit Return (CAR) in a form approved by the Minister.

The CAR is required to be submitted to the Executive Director by 31 March of each year. The form of CAR approved by the Minister for the 2018 CAR is via completion of an online form on the Department of Local Government and Regional Developments (DLGRD) website. The CEO has completed the return (Attachment 11.3A) and the report is provided for Council's information.

### Officer Comment

Notes are included in the attached Compliance Audit Return.

### Consultation

Nil

***Financial Implications***

Nil

***Statutory Environment***

Regulation 14 of the Local Government (Audit) Regulations 1996 apply require the Local Government to complete a Compliance Audit Return each year.

***Strategic Implications***

Nil

***Policy Implications***

Nil

***Voting Requirement***

Simple Majority

**12. Elected Member motions of which previous notice has been given**

**13. Urgent business approved by the person presiding or by decision of the Council**

**14. Confidential Business (Meeting Closed to the Public)**

**15. Information Only**

**16. Next Meeting**

The next meeting is scheduled for Thursday, 2 May 2019, at the Shire of Harvey Council Chambers, 7 Mulgara Street, Australind - commencing at 4:00pm.

**17. Close of Meeting**

The Presiding Member declares meeting closed at \_\_\_\_\_